

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2.7 FEET FOR A PROPOSED COVERED SCREEN ROOM ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (THOMAS SCALA, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Rich Steiger **EXT.** 7936

Agenda Date 1-26-04 **Regular** ☒ **Consent** ☐ **Public Hearing – 6:00** ☐

MOTION/RECOMMENDATION:

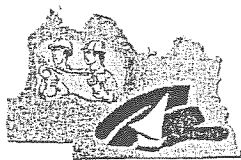
1. **APPROVE** THE REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2.7 FEET FOR A PROPOSED COVERED SCREEN ROOM ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (THOMAS SCALA, APPLICANT); OR
2. **DENY** THE REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2.7 FEET FOR A PROPOSED COVERED SCREEN ROOM ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (THOMAS SCALA, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(District 4 – Henely)

(Rich Steiger, Planner)

GENERAL INFORMATION	APPLICANT: THOMAS SCALA LOCATION: 155 EAST FAITH TERRACE ZONING: R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/ REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A COVERED SCREEN ROOM ADDITION, APPROXIMATELY 376 SF IN SIZE. • THE SCREEN ROOM WOULD ENCROACH 7.3 FEET INTO THE MINIMUM SIDE YARD SETBACK; A REAR YARD SETBACK VARIANCE FROM 10 FT TO 2.7 FT IS THEREBY REQUESTED. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE APPLICANTS HAVE FAILED TO DEMONSTRATE A

	<p>HARDSHIP, BASED ON THE STANDARDS FOR GRANTING VARIANCES.</p> <ul style="list-style-type: none">• THE REQUESTED VARIANCE IS NOT THE MINIMUM VARIANCE THAT WOULD ENSURE REASONABLE USE OF THE PROPERTY. THE OPPORTUNITY EXISTS TO BUILD A COMPLIANT STRUCTURE.• THE REQUEST WOULD CONFER ON THE APPLICANTS SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHER PROPERTIES WITHIN THE LAURELWOOD SUBDIVISION BY ALLOWING ENCROACHMENT INTO THE REAR AND SIDE YARD SETBACKS WITHOUT THE DEMONSTRATION OF A SPECIAL CIRCUMSTANCE OR HARDSHIP.
STAFF RECOMMENDATION	<p>STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCE REQUEST UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED COVERED SCREEN ROOM AS DEPICTED ON THE ATTACHED SITE PLAN.• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1101 EAST FIRST STREET
SANFORD, FL 32771
(407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. BV 2003-184

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

☒ **VARIANCE** Side yard setback variance from 10' to 2.7' for a proposed screen enclosure addition

☐ **SPECIAL EXCEPTION**

☐ **MOBILE HOME SPECIAL EXCEPTION**

☐ EXISTING ☐ PROPOSED ☐ REPLACEMENT

MOBILE HOME IS FOR

YEAR OF MOBILE HOME _____ SIZE OF MOBILE HOME _____

ANTICIPATED TIME MOBILE HOME IS NEEDED _____

PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN _____

MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO

☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	<u>Thomas Scala</u>	
ADDRESS	<u>155 E. Faith Terrace</u>	
	<u>Maitland, FL 32751</u>	
PHONE 1	<u>407 260-6426</u>	
PHONE 2		
E-MAIL		

PROJECT NAME: Faith Terrace (155)

SITE ADDRESS: 155 E. Faith Terrace

CURRENT USE OF PROPERTY: Residence

LEGAL DESCRIPTION: LEG LOT 8 NORTHWOOD HEIGHTS PB 10 PG 28

SIZE OF PROPERTY: 13,360 ft² acre(s) PARCEL I.D. 24-21-29-512-0000-0080

UTILITIES: ☐ WATER ☒ WELL ☐ SEWER ☒ SEPTIC TANK ☐ OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS None

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on Jan. 26, 2004 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Thomas Scala
SIGNATURE OF OWNER OR AGENT*

11/6/03
DATE

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

(West) SYSU from 10' to 7.7' for an existing home. X?

VARIANCE 3:

(West) SYSU from 10' to 7.7' for an existing pool enclosure. X-?

VARIANCE 4:

(East) SYSU from 10' to 8.0' for an existing home. X-?

VARIANCE 5:

(East) SYSU from 10' to 8.0' for an existing pool enclosure. -?

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL _____

BCC PUBLIC HEARING DATE _____

FOR OFFICE USE ONLY

PROCESSING:

FEE: \$150 COMMISSION DISTRICT 4 FLU/ZONING LDR/R-1AA

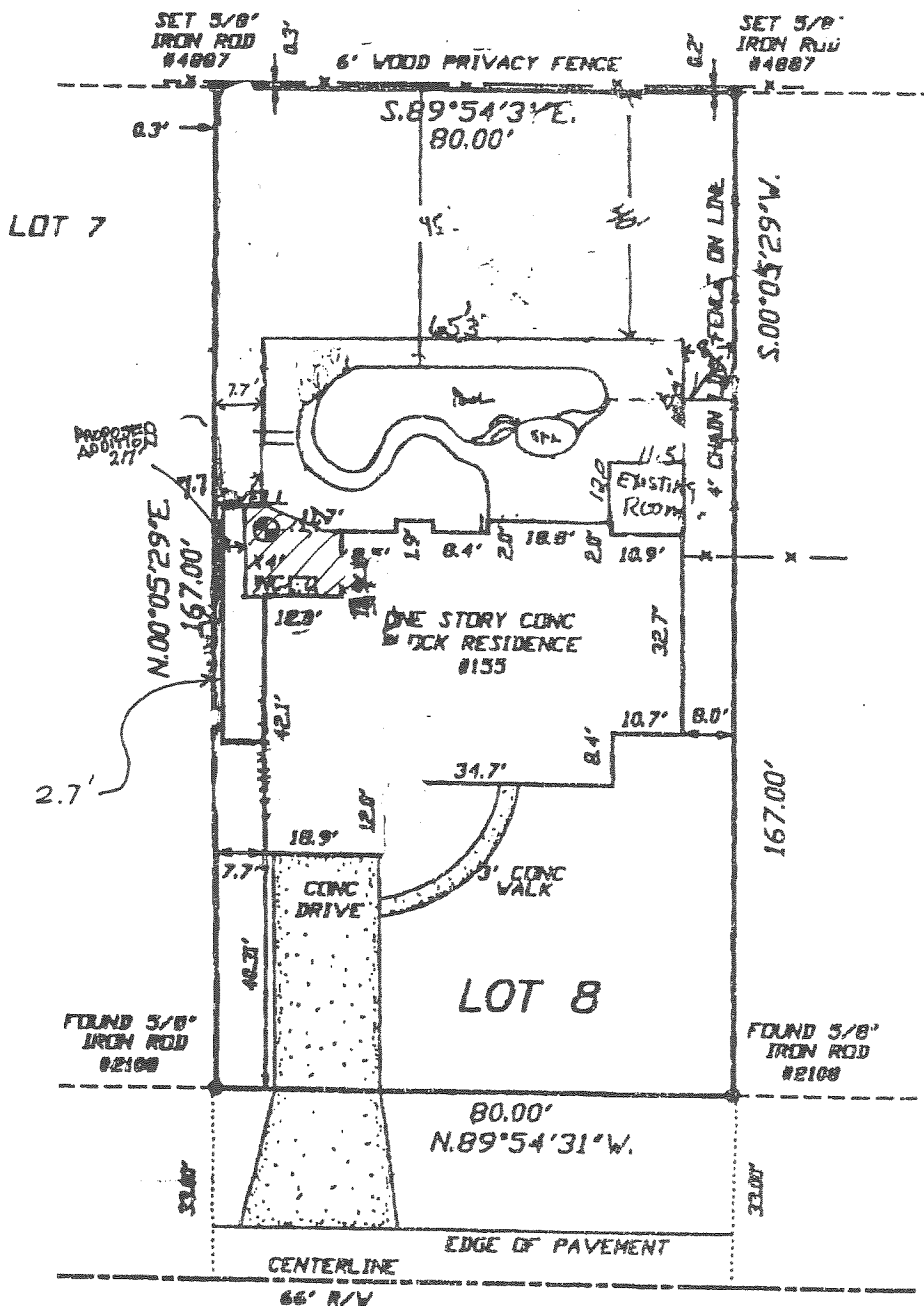
LOCATION FURTHER DESCRIBED AS _____

PLANNER JV Torregrosa DATE 11/6/03

SUFFICIENCY COMMENTS _____

NOT PLATTED

CONCRETE
RIGHT-OF-WAY



1. BEARINGS BASED ON THE SOUTH LINE OF LOT 8 AS SHOWN.
2. UNDERGROUND IMPROVEMENTS NOT LOCATED.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. SUBJECT PROPERTY LIES IN ZONE "C" (AREA OF MINIMAL FLOODING) PER FLOOD INSURANCE RATE MAP PANEL NUMBER 120289 0140 B, DATED MAY 5, 1981.
5. DATE OF FIELD SURVEY: MAY 30, 1995.

FAITH TERRACE EAST

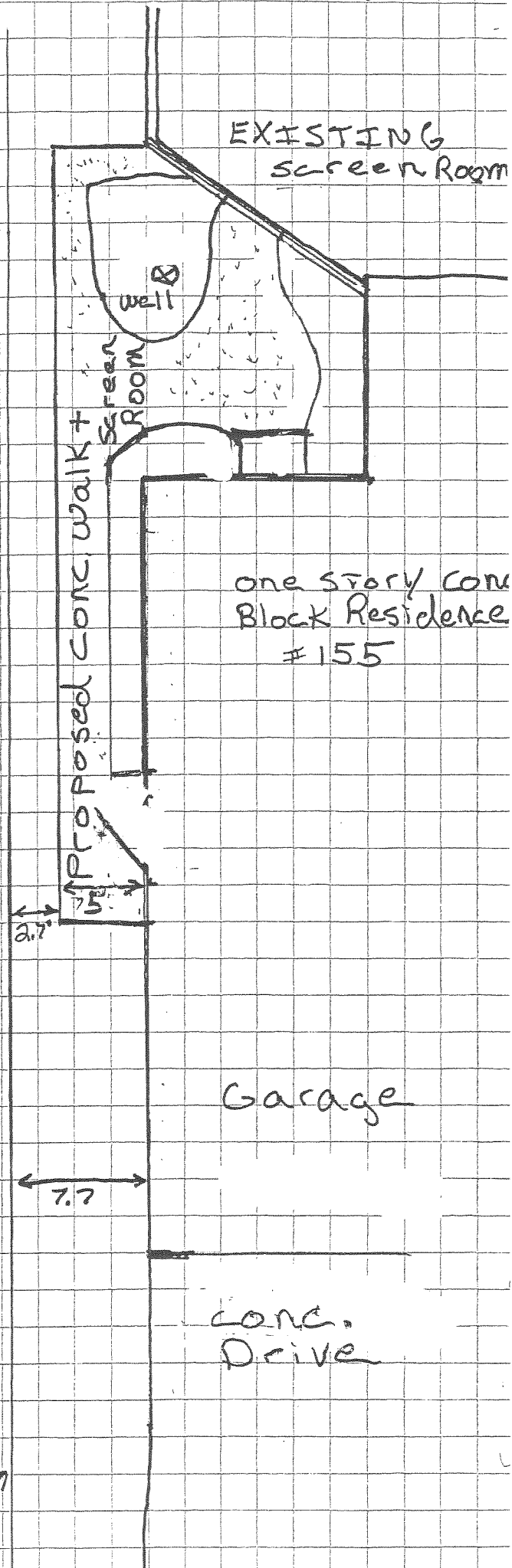
BOUNDARY SURVEY

LOT 8, NORTHWOOD HEIGHTS,
AS RECORDED IN PLAT BOOK 10,
PAGE 28, PUBLIC RECORDS OF
SEMINOLE COUNTY, FLORIDA


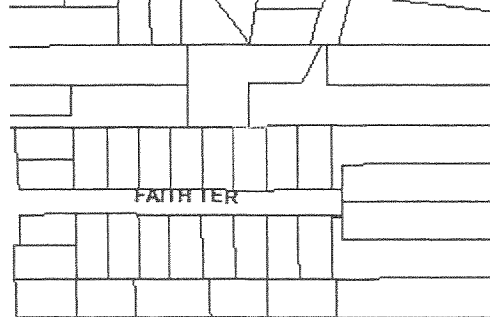

Thomas Scala

155 E. Faith Terrace
Maitland Fl.
32751

1" = 8 ft

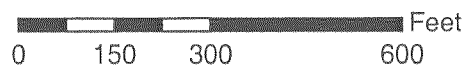
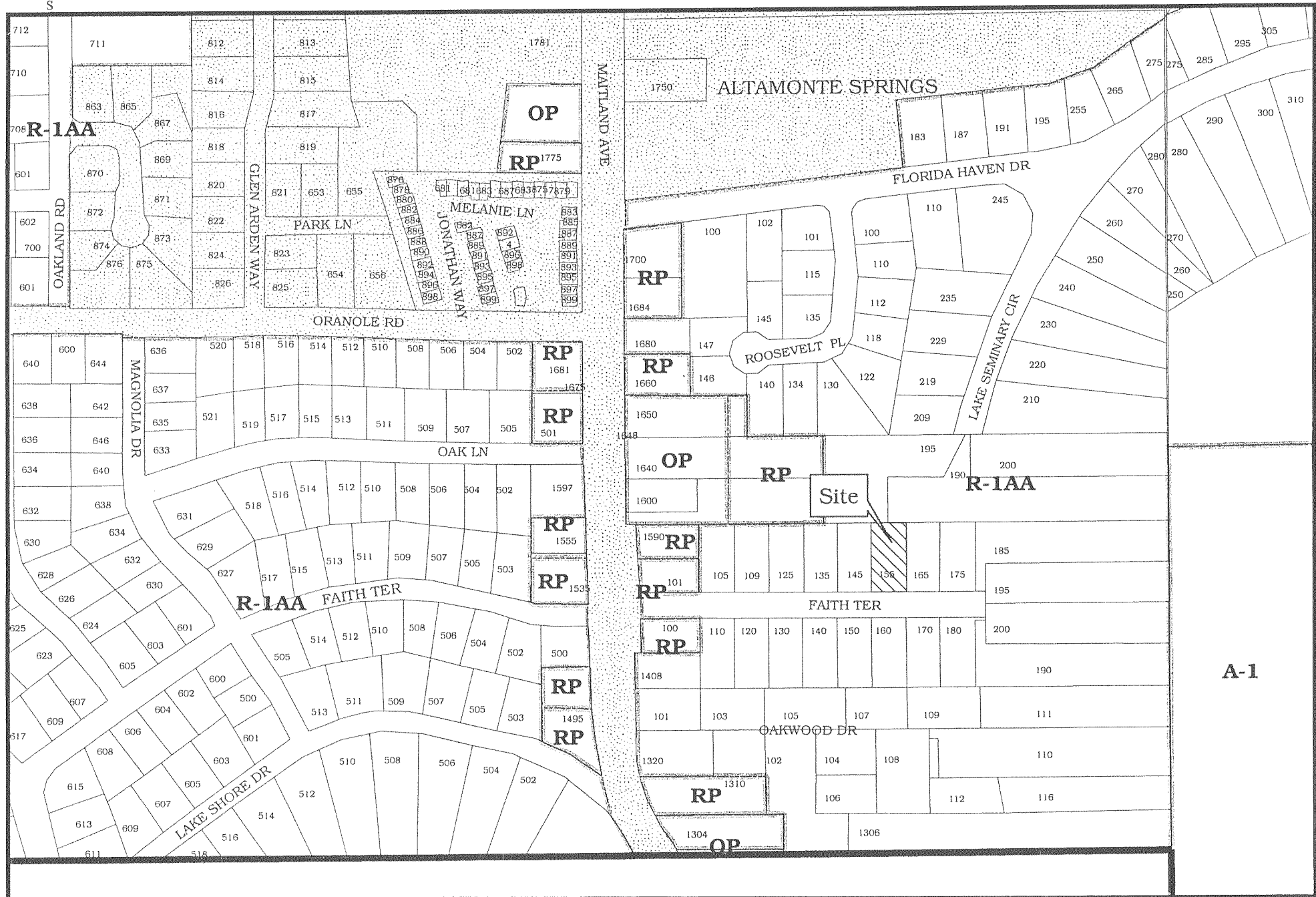


Personal Property

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP	TAX ROLL	SALES SEARCH	◀ Back ▶																																																						
 <p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																																																											
<p align="center">GENERAL</p> <p>Parcel Id: 24-21-29-512-0000-0080 Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: SCALA THOMAS D & TAMMY W Exemptions: 00-HOMESTEAD</p> <p>Address: 155 E FAITH TERR</p> <p>City,State,ZipCode: MAITLAND FL 32751</p> <p>Property Address: 155 FAITH TER E MAITLAND 32751</p> <p>Subdivision Name: NORTHWOOD HEIGHTS</p> <p>Dor: 01-SINGLE FAMILY</p>			<p align="center">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$87,950</p> <p>Depreciated EXFT Value: \$15,386</p> <p>Land Value (Market): \$25,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$128,336</p> <p>Assessed Value (SOH): \$128,336</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$103,336</p>																																																								
<p align="center">SALES</p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>04/2000</td> <td>03855</td> <td>1116</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1995</td> <td>02921</td> <td>1123</td> <td>\$94,000</td> <td>Improved</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>12/1988</td> <td>02064</td> <td>0418</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1984</td> <td>01632</td> <td>0977</td> <td>\$75,600</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1984</td> <td>01521</td> <td>0093</td> <td>\$77,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1973</td> <td>00980</td> <td>1837</td> <td>\$32,500</td> <td>Improved</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>			Deed	Date	Book	Page	Amount	Vac/Imp	QUIT CLAIM DEED	04/2000	03855	1116	\$100	Improved	WARRANTY DEED	05/1995	02921	1123	\$94,000	Improved	QUIT CLAIM DEED	12/1988	02064	0418	\$100	Improved	WARRANTY DEED	07/1984	01632	0977	\$75,600	Improved	WARRANTY DEED	01/1984	01521	0093	\$77,000	Improved	WARRANTY DEED	01/1973	00980	1837	\$32,500	Improved	<p align="center">2003 VALUE SUMMARY</p> <p>2003 Tax Bill Amount: \$1,728</p> <p>2003 Taxable Value: \$100,795</p> <p align="center">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>														
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Thomas Scala 155 E. Faith Terrace



SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On January 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 8 NORTHWOOD HEIGHTS PB 10 PG 28

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: THOMAS SCALA
155 EAST FAITH TERRACE
MAITLAND, FL 32751

Project Name: FAITH TERRACE (155)

Requested Development Approval:

REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2.7 FEET FOR A PROPOSED COVERED SCREEN ROOM.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Rich Steiger, Planner
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 1. The variance granted will apply only to the proposed screen room as shown on the attached site plan and elevation drawings.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____

Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: